My name is Marie Barrett, New River Wetlands Educational Outreach Coordinator.

The concerns regarding the Salton Sea Ecosystem include nutrient loading; oxygen depletion and other health problems.

We have found through three years of monitoring our two pilot wetlands that the wetlands have a significant effect on decreasing nitrogen and phosporus load and total suspended solids . We have also documented a very positive increase in the amount of dissolved oxygen added to New River water that has gone through the wetlands.

Another pollutant that has been decreased by up to 99.8% is fecal coliform.

After three years of monitoring experience with our two constructed wetlands, results prove that wetlands work to clean both New River and agricultural drain water. Based on our monitoring results we feel that a series of up to 8000 acres of wetlands along the Alamo and New River will significantly clean nutrients, total suspended solids and fecal coliform from the water before it reaches the Salton Sea. This will reduce some of the stress on the Sea and clean water will be a lot easier to process – whether it be for desalization, salt marsh wetlands or any reclamation planned

We have completed a reconnaissance Inventory of Wetland Sites along both the Alamo and New River and have identified over 80 possible sites for wetlands. We have chosen 40 as preferred sites. We are working with the cities of Westmorland, Brawley and Holtville to build wetlands as teritery treatment at their wastewater treatment plants.

Besides the very important water quality aspects, the wetlands offer tremendous opportunity for education, recreation and birdwatching.

This project is beneficial for Imperial County and the Salton Sea. We would urge you to consider funding and expanding the wetlands project.

Thank you

Resan Bingham
5158 St. Andrew Place
Los Angeles, California 90062
(323) 291-1050

April 14, 2004

Dear Mr. Keene

My name is Resan Bingham, CEO of Clear Water Fishing Club. I'm writing this letter because of the condition of the Salton Sea. It saddens me that a place that my family has enjoyed for over 40 years and across 3 generations is being completely ignored. The condition can only be blamed on the politicians in office – with everything else going on in the world, I guess it's just not anywhere near the top of their list of priorities. It is on the top of mine, though.

Just to give you a little background on why this matter concerns me, I am originally from Missouri - where fishing is fishing – and, on my first fishing experience in the state of California I was 13, I felt like the Salton Sea was a little piece of home. I caught my first Corvina there! Since then I have brought my family camping there, and my fishing experience has been shared. Lately, the Salton Sea is nothing like back home in Missouri – and nothing like I remember it.

For this area to have been neglected and ignored really bothers me. It is one of the largest inland bodies of water in the country and home to so many endangered species. It deserves better. Maybe if the people that made decisions about the Salton Sea had actually BEEN to the Salton Sea, they would agree that it should be saved. Like I do. Like so many other people do.

Please keep my club members and me up to date on issues regarding this matter. So that we can keep up with what's going on with this natural treasure, I would like to be added to any mailing list of upcoming conferences, debates or advisory board activities regarding the Salton Sea.

Thank you!

Sincerely,

R. Bingham

Resan Bingham

Quentin & Ellen Burke

817 East Eighth Street • P.O. Box 55 • Holtville, CA 92250
Phone 760 356-4102 Fax 760 356-2778 quellen@brawleyonline.com

Dear Mr. Charles Keene
California Dept. of Water Resources

I would like to comment on the future plans for the Salton Sea.

The Sea has in past decades been a great recreational resource boating, fishing and 40 years ago or more, swimming, in the northern end. So, we want to improve that aspect ... clean up the pollutants coming in or before they get to the Sea ... and provide sufficient water for human recreational use and for wildlife. We want to service the large bird population that visits or stays at the Sea, by providing wetlands free of contaminants and with just enough water and plants enough for their use. If the water is cleaner, it will be better for the fish population.

Since the wetlands projects on the New River have been a great success, cleaning the water, why not continue this idea up to the south end of the Sea for wildlife habitat, using both the New and Alamo Rivers which drain into the south end of the Sea., making a wetlands area, or bayou, if you will, at the south end. This would satisfy the wildlife needs and cut down on a possible dust problem should that area be allowed to dry up completely. The north end of the sea would be in better shape for development of human recreation facilities.

The Salton Sea is California's largest lake ... we must save this resource while we can. The Salton Sea Authority, promoted by the Board of Supervisors of Imperial County, has done a lot of research, gathering possible plans for saving the Sea. They probably would be a great help to the DWR (and save repetition of work) in coming up with future possibilities for uses for the Sea.

Further, with the burgeoning population in coastal areas to the west, the Salton Sea can and should be developed for recreational use. Not only do we want to save water, we want to make the best use of it. The State needs to pick up the ball and run with it, using the SS Authority as a helper/partner. By all means save the Salton Sea...the State will be sorry in future years if the ball is dropped! Imagine: sailboat races, ski-doo derbies, fishing derbies, fishing classes for youngsters. So much could be possible, and possibly take some of the crush off the sand dune areas of Imperial County.

Thank you for the opportunity to comment,

Ellen Burke

Ellen Burke
April 14/04

4/15/04

Ted Deckers
3100-R West Hwy 86
Desert Shores, CA 92274
(760) 395-0056

Charles Keene
California Department of Water Resources
770 Fairmont Ave
Glendale, California 91203

I am writing to have my comments registered in regards to a plan for protecting and restoring the Salton Sea.

I have two major concerns:

First is that your plan does not have provisions to improve recreation and provide for economic development around the Sea. How can you ignore the valuable resource of tax dollars the State so sorely needs?

The second concern is that you are not working with the Salton Sea Authority. You are proceeding to waste valuable time and money duplicating studies and tests that already have been done. You need to team up with the Salton Sea Authority on an equal basis and move forward not backward.

The Salton Sea Authority has a preferred plan that will reduce and control salinity. It also will reduce and control the nutrient overload. It does provide for economic and recreation development. This plan has a flexibility built in that will allow for less inflow of water while improving wildlife habitat.

By working with them, you could still make sure the fish, birds and the entire ecosystem is properly cared for.

Sincerely,

Ted Deckers

Ted Deckers

cc: Mike Chrisman, Sec.
The State Resources Agency

Hart Insurancenter

310 Main Street • P.O. Box 236 • Brawley, CA 92227 • 760.344.1400 • 760.344.6429 Fax
709 State Street • El Centro, CA 92243 • 760.352.0422 • 760.352.4462 Fax

March 26, 2004

Mr. Charles Keene
California Department of Water Resources
770 Fairmount Ave.
Glendale, CA 91203

Dear Mr. Keene:

I am writing to you because I have been told that you, as head of the California Department of Water Resources, are the person most responsible for directing the planning and implementation of the restoration of the Salton Sea.

I am a native resident and business owner in Imperial Valley, and this has allowed me to experience, long-term, most of the socio-economic aspects of this region. I am excited now because I am seeing the beginning of a process to reshape a gigantic resource as significant as the Salton Sea. This excitement is somewhat guarded by the uneasy feeling of not knowing today what the reshaped future will be like. I would feel better if I knew that, in addition to meeting the goals of the water transfer, much of our future was being developed by, and for, the people that live here. Although an approach such as this is a reasonable one, I wonder if those that don't live here feel the same. What is your feeling on this.

There is an agency situated very near called the Salton Sea Authority (SSA). I attend their meetings from time to time and I am learning more about the organization. They have developed, and are continuing to compile, a tremendous amount of data about the Sea specifically, and the region in general. The more I learn about them the more confident I feel about the direction of their leadership. It would not be unreasonable to allow them a responsible role in the myriad of activities that lie ahead. This would be the recipe for a wonderful balance between local involvement and state and national overview. What is your feeling about this?

The restoration of the Salton Sea is a significant development for California and the Pacific Region. The road map there goes right through Imperial County, and their voice must not be denied. Let the Salton Sea Authority be the entity that speaks on their behalf.

Sincerely yours,

Jack Hart

Jack Hart

3-3-04

To: Charles Keene, DWR, and Others

Re: Comments on the NOP of the PEIR for the Restoration of the Salton Sea Ecosystem

1. The implementing legislation is scoped to the ecosystem.
2. In contrast, the preliminary Salton Sea Restoration Plan, as presented by the SSA at its 2-26-04 meeting, deals with:
   a. Benefits to the people and their communities
   b. Enhancement of the Greater Communities of the Coachella and Imperial Valleys
   c. Enhancement of the Fish and Wildlife habitat within the region (if not the Salton Sea proper)
3. Therefore, I have concern that your ecosystem scope, of and by itself, is special interest ("environmental community") oriented. And, conversely, that it is not in the public interest nor for the common good. And more particularly, I conclude that to use this ecosystem design as the basis for developing a preferred alternative constitutes a "tail wagging the dog" syndrome.
4. Therefore, it is deemed to be in the public interest and for the common good for DWR and DFG, as co-lead agents, as well as the Salton Sea Advisory Committee to support using the SSA restoration plans as the preferred alternative.
5. As conveyed earlier to the SSA board, I request that the plan-making process include:
   a. There shall be a separate Salton Sea Restoration Plan document.
   b. This plan shall be based on less inflow from IID into the Sea.
   c. This plan shall be introduced and subject to public comment before it is acted on by SSA and/or DWR/DFG.
   d. This plan shall become the preferred alternative of the PEIR.
6. SSA proceeding in a timely manner to develop and introduce its preliminary restoration plans for public comment, and the State recognizing these plans as the preferred alternative, or at least one of the alternatives, accommodates my plan-making requests on an "inconcert basis."
7. The project area description is very specific and very general. I think that the non-descript nature of the non-specific areas (i.e. those areas exclusive of Salton Sea proper and the Delta in Mexico) creates a pandora's box. More particularly, I think the project area is not properly described.

17

Cliff Hurley

Cliff Hurley • **1108 W. Evan Hewes Hwy, El Centro, CA 92243** • **Phone/fax (760) 352-6496**

Mar. 05 2004 09:38AM P1 FAX NO. : FROM :

April 5, 2004

Mike Maier
5101 Tyler Ave.
Temple City, Ca. 91780

Mr. Charles Keene
Calif. Dept. Water Resources
770 Fairmont Ave.
Glendale, Ca. 91203

SUBJECT: Programmatic Environmental Impact Report On Salton Sea Restoration

Dear Mr. Keene,

Here following are my comments in response to the request for public commentary on the DWR Programmatic Environmental Impact Report For Restoration Of The Salton Sea Ecosystem And Preservation Of Its Fish And Wildlife Resources. For many years I have been involved with wildlife issues including Salton Sea matters, so my comments derive from experience, so please consider the following.

There are at least two thousand acres of privately owned managed freshwater wetlands on properties around the north and south shores of the Salton Sea. These habitats perform a public trust function by providing freshwater and feed for wild ducks, geese and a variety of other birdlife, water and food that are not available on the Sea. Increased salinity has rendered the Sea virtually of no value for ducks and geese except as resting habitat. These and other species must seek other habitat for their essential needs, and that to a large extent means area duck hunting clubs.

In preparation of the E.I.R. the involved agencies and personnel should consider possible project impacts upon privately owned managed wetlands. These habitats perform a mitigative function for Sea habitat quality debased and lost because of salinity. Even if the Sea is stabilized or improved to a salt content at or near ocean water it cannot provide for the water and nutritional needs of ducks, geese and other freshwater dependent birds. The E.I.R. should recognize this mitigative function and recommend official mitigation in the form of state and federal policies that provide incentives for managed habitat owners to improve and expand their water acres and provide feed adequate to maintain desirable populations of wintering waterfowl and other birds. Owing to the absolute scarcity of quality wetland habitat in Southern California, said mitigation should extend to all southern counties.

Sincerely,

Mike Maier

LAW OFFICES OF
PATRICK J. MALONEY

2425 WEBB AVENUE, SUITE 100
ALAMEDA ISLAND, CALIFORNIA 94501-2922

PATRICK J. "MIKE" MALONEY

(510) 521-4575
FAX (510) 521-4623
e-mail: PJMLAW@pacbell.net

THOMAS S. VIRSIK

April 15, 2004

Charles Keene
California Department of Water Resources
770 Fairmont Avenue
Glendale, California 91203.

Re: Salton Sea Ecosystem Restoration Project—Notice of Preparation

Dear Mr. Keane,

Introduction

This office represents landowners of Imperial Valley who own approximately twenty-five percent 25% of the irrigated agricultural land in the Imperial Valley. These landowners will be referred to as the "Imperial Group" throughout this filing. The Website for the Imperial Group is www.imperialgroup.info. The members of the Imperial Group have filed multiple lawsuits against the Imperial Irrigation District and other signatories to the Quantification Settlement Agreement ("QSA"). These suits challenge the validity of the QSA and the mismanagement of water resources by IID. The members of the Imperial Group have asked the Court to make a determination that it represents all of the irrigated agricultural acreage in the Imperial Valley. The Court has not yet acted on this request. The irrigated agricultural acreage in the Imperial Valley uses over 98% of the water used in the Imperial Valley.

In this letter, the Imperial Group formally responds to the Notice of Preparation and raises the following issues: (1) the NOP should address alternative solutions should the QSA be invalidated as the Salton Sea will continue to be a problem regardless of the QSA; (2) alternatives should be considered that do not require state funding; (3) solutions to the Salton Sea must incorporate better water management in the Imperial and

Mexicali Valleys so that the water resource is optimized; (4) the NOP should promote projects that can be implemented quickly rather than continue being studied for years.

The Imperial Group is committed to developing an economically feasible plan to optimize the water resources of the Colorado River and restore the Salton Sea Ecosystem within a six-month period with a build out of five years. The Imperial Group has created a Consortium (see footnote 1) of international construction and engineering firms committed to a feasible Salton Sea Ecosystem Restoration Project, which would optimize the water resources of the Colorado River for all of California and protect the Imperial and Mexicali Valleys. While developing this plan the Imperial Group fully expects to continue its meetings with job trainers in Imperial County, members of the community, environmentalists, and governmental officials both Mexican and American.

The Imperial Group estimates that the landowners of irrigated agriculture in the Imperial Valley and their predecessors in interest have invested in excess of 1.3 billion dollars to develop the water resources of the Imperial Valley over the last 100 years. Without this investment there would be limited agricultural production in the Imperial Valley, the development of Coachella Valley and other Southern California communities would be severely limited, and finally there would be no Salton Sea. Over the years the economy of the Imperial and Mexicali Valleys have become integrated and any action which hurts the citizens and economy of the Mexicali Valley hurts the citizens and economy of the Imperial Valley and vice versa. The Imperial Group is concerned about the efforts of the State of California and its related subdivisions including but not limited to the Imperial Irrigation District, Coachella Valley Water District, Metropolitan Water District, San Diego County Water Authority and Salton Sea Authority to develop a Salton Sea Ecosystem Restoration Project as an alternative to existing conditions in the Salton Sea. The Imperial Group's concern is that the entities will just continue to study the issue and fail to develop a feasible project because there are insufficient financial resources available in the State of California and the Federal Government to finance a Salton Sea Ecosystem Restoration Project. The problem will not be solved and turned into continuing rounds of litigation while the environment and economy of the region suffers. As landowners and citizens of Imperial County the Imperial Group is concerned that the same thing will happen to the Salton Sea and Imperial County that Professor Robert Kagan described in his studies on the dredging delays in the San Francisco Bay. See Exhibit A for copies of Professor Kagan's articles on how the "extraordinarily cumbersome, legalistic, and costly method for

balancing environmental and economic considerations" caused the dredging delays in the San Francisco Bay. The environment and economy will not tolerate such delay on the Salton Sea issues and the Imperial Group will do everything in its power to prevent such delays.

Current Condition

The situation in the Salton Sea is grave. The Salton Sea Ecosystem is rapidly deteriorating. To the extent any bird and fish Ecosystem still exists in the Imperial and Mexicali Valleys, it is due to the continued agricultural investments and activities in the Imperial and Mexicali Valleys. Indeed, the entire Ecosystem of the Western Hemisphere benefits from these continued agricultural activities. The present interpretation of the QSA contemplates massive fallowing in California and the lining of the All-American Canal. These destructive policies are best illustrated by flying over the Coachella, Imperial and Mexicali Valleys during the early Spring. One can see significant economic activities in Coachella. The only exception is the land on the east side of US 10 and the Torres-Martinez Indian Reservation. These are areas where there has been a restriction on the use of water. When you fly over Imperial County and Northern Mexico there are verdant fields and economic development where there is water. If the water is restricted either in the Imperial or Mexicali Valleys without a plan to optimize the water resources of the Colorado River for the benefit of all the people in the region and California, substantial portions of these Valleys will become deserts. The Imperial Group intends to prevent this from happening.

Historical Facts Surrounding Mexico, Imperial Valley and the Salton Sea

The Salton Sea Reference Information supplied by the Department of Water Resources ("DWR") did not describe the Salton Sink prior to 1900. The Imperial Group offers the maps as set forth in Exhibits B1 through B8 to further illustrate the development of the Salton Sea Ecosystem. Understanding the historical development of the Salton Sea and the Alamo and All-American Canals helps to better define the environmental issues involved in considering any Salton Sea Ecosystem Restoration Project. When this analysis is made DWR necessarily must consider the conditions that existed both in Mexicali, Coachella and Imperial Valleys before the Salton Sea and the Alamo and All-American Canals were created. From that analysis a baseline can be developed which will help assess alternatives, optimize the water resources for all three Valleys and restore the historic Ecosystems of the Valleys. The baseline has to be developed

to reflect the situation prior to the investment of the 1.3 Billion Dollars by the members of the Imperial Group and other landowners in the Imperial Valley. Then if the State desires to take advantage of this investment and the opportunities for the future that this investment gives the Imperial and Mexicali Valleys, the State should fully compensate the landowners for their past investment and any loss of the landowners' future economic opportunities. Once the scope and value of the historic investment by the agricultural landowners is understood, the financially feasible alternatives available to the State for any Salton Sea Ecosystem Restoration Project are narrowed.

Legal Basis of Imperial Group's Position

The United States Supreme Court has recognized the unique nature of the water rights held by the landowners in the Imperial Valley. See Bryant v. Yellen (1980) 447 US 352, at n. 23. These rights are inviolate. The Imperial Group vigorously objects to any attempt by any governmental agency to interfere with their exercise of these rights and until this issue is satisfactorily resolved there will be a serious impediment to any Salton Sea Ecosystem Restoration Project. IID has mismanaged the diversions from the Colorado River. See Decision 1600 of the SWRCB. In 2003 the united Stated bureau of Reclamation or BOR commenced a so-called Part 417 Process against IID to determine whether or not IID was appropriately managing its diversions from the Colorado River and permitted extensive briefing by all interested parties including but not limited to the State of California through the California Resources Agency, Imperial Irrigation District and the National Audubon Society. The Imperial Group participated in this process and its position is set forth in Exhibit C and incorporated herein by reference. Many of the positions, which the Imperial Group is taking in this proceeding, were taken in the 417 Proceeding. At the conclusion of its proceeding BOR made recommendations as to how IID could improve its management of the diversion from the Colorado River. A copy of the Decision is attached hereto marked Exhibit D and incorporated herein by reference.

The landowners of Imperial Valley have the right to use the Salton Sea as an agricultural sump or drain. This right is recognized by the State of California and the United States. However, under the principles announced in the Nacimiento Regional Water Management Advisory Committee v. Monterey County Water Resources Agency (1993) 15 Cal.App.4th 200 and the above referenced BOR Decision, the landowners of Imperial Valley have no obligation to maintain the Salton Sink as a sea and no EIR or environmental mitigation is required if the landowners

choose to reduce the flow of water into the Salton Sea. See also the decisions of the SWRCB in Garrapata Water Company, Decision 1639 and Monterey County Water Resources Agency, Order 2001-17.

It is the Imperial Group's position that the following principles promulgated by the BOR in the above-referenced 417 Decision should be the operating principles of IID or its successor and the landowners of Imperial Valley when water is delivered or used in the Imperial Valley:

> The materials reviewed and considered by Reclamation demonstrate that conservation and operating measures recommended below vary widely in cost, ease of implementation and the potential to conserve water. Reclamation recognizes that many of the recommendations relating to conservation measures would require investments by IID and its farmers, however others would not. While Reclamation encourages IID to seriously consider the suggested measures, the mix of measures that are ultimately adopted by IID and by the farmers within IID is a local decision. Many of the measures may be implemented simultaneously. All of the recommended measures are being successfully used in other irrigated areas of the Southwest with conditions similar to those in IID.
>
> In the following section, Reclamation presents these recommendations in order of priority based upon its independent professional analysis, but fully recognizes that implementation and prioritization of the measures identified below remains a matter of local determination.
>
> Based on these considerations, Reclamation recommends the following measures:
>
> **A. Opportunities for conservation that can be implemented by IID within existing IID policy or with some modification of existing policy.**
>
> Recommendation 1. Water Measurement. Reliable water measurement records are essential to the decisions that result in water conservation. Reclamation recommends that IID develop, maintain and use a district- wide network of water measurement devices for the consistent monitoring, recording and reporting of system and on- farm water use data.

Measurements within the IID should include: 1) canal and lateral spills, 2) actual deliveries to farmers' head gates, 3) tail water runoff, 4) drain flows, including discharges from drains, and 5) leach water and other components of water diverted from the Colorado River for use in IID.

IID may consider a carefully planned and executed measurement program approach to install continuous recorders at selected representative sites and conduct regular spot measurements at the remaining sites. This approach could be used at lateral and farm turnouts and well as drain ditches.

Recommendation 2. Scheduling Water Orders. Under current IID policy, a farmer is charged for a full 12-hour period of water delivery, whether or not the farmer needs or uses the water. Modification of this early termination policy by IID would give farmers greater flexibility with water deliveries and enhance their ability to manage and conserve water.

Recommendation 3. Tailwater Management. Currently, hundreds of thousands of acre- feet of water are not consumed by crops, but flow off the ends of fields in IID. Reclamation recommends that IID strictly enforce its ordinance limiting tail water to 15 percent. Reclamation recommends that the 15 percent tail water limit be reduced incrementally over a specified number of years. Additional measures might include implementing a tiered penalty for tailwater discharge or implementing a tiered water rate schedule that increases with additional water ordered above a set allocation. Under current practice IID farmers pay millions of dollars for water that flows off the ends of their fields. Further, Reclamation believes that the 15% is excessive over the long-term and that IID should evaluate, establish and enforce further reductions in tailwater volumes.

Reclamation supports the principal of matching delivery rate and irrigation set time required to refill the crop root zone to have the least possible amount of tail water. Reclamation believes significant efforts in this regard can be accomplished with little or no additional costs and without necessarily constructing on-farm reservoirs or tail water recovery systems.

Recommendation 4. Physical Improvements. Physical improvements can increase flexibility in the system and reduce the possibility of spills. Conservation measures might include implementing the measures identified in lid's draft Agricultural Water Management Plan (March 2002), which include constructing additional mid-lateral reservoirs and constructing both limited flexibility and full flexibility interceptor laterals. Installation of tailwater recovery systems is also addressed in the draft Agricultural Management Plan as a conservation measure, although Reclamation notes that constructing such systems to collect water from more than one field would cost less than the approach proposed in the draft Plan.

Recommendation 5. IID Farmer Outreach. IID through its Irrigation Management Unit provides a multitude of farm evaluations, demonstration projects and water conservation measures that assist till farmers in IID to conserve water. Current programs and services offered include:

Irrigation evaluations to determine best water use on a per- field basis Scheduling of Irrigations
Soil moisture sensors to better determine when to irrigate crops
Flume measurements for measuring tail water accurately
Salinity assessment global positioning system mapping to help with salinity control
Land leveling, which could include level basin, modified level and matching grade.
Field length or irrigation length reduction
Alternative irrigation methods such as high flow level basins, drip irrigation systems, linear move sprinklers, and cut-back irrigation

Reclamation encourages IID to continue and increase the level of participation in outreach activities to provide these services to farmers to assist farmers in making decisions about a wide variety of water conservation.

Recommendation 6. Irrigation Management. The goal of a good irrigation management program is to use water efficiently by scheduling irrigations to meet crop needs. Reclamation

recommends that IID assist farmers in using climatic and evapotranspiration data to help determine when to irrigate and how much water to apply. Potential benefits from scheduling irrigations to meet crop needs include:

The lengthening of irrigation intervals by two to three days on annual crops resulting in at least one less irrigation during crop season
Improved yields both quantitatively and qualitatively
Higher yields for alfalfa and less compaction by harvesting equipment Improved crop management using information gathered during field visits Salt management in areas of highly saline soils by irrigating alternate rows early in the irrigation system
Improved quality of specialty crops such as peppers, tomatoes, watermelons and cantaloupes with properly timed irrigation during bloom development and just prior to harvest

B. On-farm activities that can be implemented by farmers in IID at little or no cost.

Recommendation 7. Cultural Practices. Cultural practices can be implemented by farmers to better manage their irrigation water and control the advancement of the water down a furrow or border to the end of the field. These practices can be implemented at little or no cost to the farmer and can result in water savings and increased yields. Practices such as these are used to some degree within IID and throughout the western United States to save water, reduce costs, optimize yields and improve profits:

The irrigator can terminate the irrigation or change the set (move the water) when the water in the border or furrow reaches a pre-determined point before the end of the field. This early cut-off practice is simple and inexpensive and can reduce the amount of water that flows off the end of the field and minimizes the amount of water standing at the bottom of the field that will cause scalding.

The ends of the rows (furrows) can be blocked to back water up the furrow at the bottom of the field. The ends

of the furrows, or a group of furrows, can be opened after a specific time period to allow water to flow off the field.

Cross-checks can be placed in borders to slow down the advance of water. Furrow dikes (portable) can be placed in furrows to reduce the advance of water down the furrow.

Border crops can be planted on the contour grade rather than in the direction of the border to reduce the advance rate of water.

Longer fields can be divided with new header rows.

Rows can be angled against the field slope at the lower end of the field.

Rows and borders can be angled against the field slope for the entire length of the irrigation run to reduce the advance rate down the row or border on the tight soils.

C. On-farm activities that can be implemented by farmers in IID at higher costs

Recommendation 8. Land Leveling and Grading. The field slopes in IID are not great but are enough to warrant study. There is significant potential for reducing existing slopes in most fields in IID (both clay soils and light textured soils). Tailwater runoff can be reduced by improved uniformity of applied water. The elimination of field slope in either dead level or modified level systems is not recommended for IID at this time but may be appropriate as changes in technology warrant. Reducing one- half-mile irrigation runs to one- fourth mile for fields with medium and light textured soils can result in better management of the irrigation water, better uniformity of application of applied water and the reuse of any tailwater from the upper fields onto the lower fields.

Recommendation 9. Linear Move Sprinklers. Based on the layout and size of fields in the Imperial Valley, linear move systems appear to be a viable irrigation alternative. Although

they are relatively expensive and require more intensive management, linear move sprinkler systems can be used successfully on light textured soils where slopes are relatively steep and the depth of soil is such that grading or leveling is not feasible.

Recommendation 10. Drip Irrigation Many IID farmers use surface or subsurface drip irrigation to irrigate vegetable crops with no runoff from the fields. In 2002 there were approximately 12,000 acres on which drip irrigation is used in IID. Drip irrigation is a proven technology and has been successfully used in IID but its use is limited to high value crops.

See pages 62-66 of the BOR Decision. Exhibit D.

Any DEIR must consider the potential adoption of these principles and the impact they may have on flows into the Salton Sea. The adoption of these principles over an extended period of time will help to optimize the water resources of the Colorado River. If the DWR disagrees with the recommendations of BOR the DEIR should describe in detail where it disagrees with the recommendations. However, one of the ramifications of increased optimization of the water resources by IID and its potential successor and the existing agricultural landowners is that it will reduce the flow of water into the Salton Sea.

Financial Alternatives

The DWR has been directed to look at financial alternatives to finance the Salton Sea Ecosystem Restoration Project. The Imperial Group objects to any attempt by the State of California or any other governmental entity to impose any type of assessments either directly or indirectly on their water rights to finance any modification in the Salton Sea. However, the Imperial Group has developed its own alternative and submitted it in writing to the Resources Agency and the Staff of the Governor. The Consortium consists of the Dutra Group and Bean Stuyvesant, a joint venture between CF Bean and Bosklais.[1] Its submission is attached hereto and marked Exhibit E and incorporated herein by reference. (In Exhibit E you will also find a pamphlet prepared by the Provincie Flevoland in

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[1] The respective websites of the members of the Consortium are as follows: www.Boskalis.com, www.Dutragroup.com, ww.cfbean.com/cfbean/default.htm, and www.cfbean.com/beanstuy/defaultcont.htm

Holland entitled "Facts and Figures of the Zuiderzee Project." This pamphlet discusses in detail the issues involved in reclaiming the Zuiderzee. Boskalis, a member of the Consortium, was involved in the project and the project was significantly larger than the Salton Sea Ecosystem Restoration Project.) After worldwide consultation, the Imperial Group chose to develop this alternative because in part this was how Prime Minister Margaret Thatcher solved the Environmental Problems in England. See the Presentation to ACWA entitled "English Experience with the Privatization of its Water and Sewer Industries" prepared by Kathy Neal, Patrick J. Maloney and Norma Morales dated September 9, 1996. A copy of the presentation is attached hereto and marked Exhibit F. In order to accomplish a project to immediately deal with the problems of the Ecosystem of the Salton Sea there has to be recognition of the water rights of the Imperial Valley landowners. The importance of the recognition of these water rights is discussed in detail in the Imperial Group 417 filings. The environment, citizens, and landowners of Imperial Valley and northern Mexico cannot afford to have continued studies about the Salton Sea with nothing accomplished. This has been the practice of the Federal, State and Local Governments for the last 25 years.

Issues that should be considered in the DEIR

Develop an accurate baseline that presents a fair picture of the Coachella, Imperial and Mexicali Valleys before the development of the Salton Sink and the development of agriculture in the Imperial and Mexicali Valleys.

How the water resources of the Colorado River can be optimized so that Imperial and Mexicali Valleys are not stripped of their historic resources and future potential by the current economic power of Coachella Valley and the Coast of California?

What is the extent and nature of the landowners' water rights in the Imperial Valley and the landowners' ability and obligation to control the flows into the Salton Sea?

How can the water rights of the landowners in the Imperial Valley be better protected so they can be used as an engine to help finance the Salton Sea Ecosystem Restoration Project?

How can a feasible plan be developed so the best minds in the world will participate in the design and building of the project?

Conclusion

The Department of Water Resources has been charged with preparing a DEIR on the Salton Sea Ecosystem Restoration Project. The Agricultural landowners of Imperial Valley are fully aware of the problems in the Ecosystem of the Salton Sea. They have developed a Consortium with the most competent people capable of solving the problem in the world. Issues relating to the Salton Sea cannot be dealt with in isolation. The Restoration of the Salton Sea Ecosystem impacts multiple publics: Imperial, Coachella, Mexico, Arizona, the Coast of California, and the San Francisco Bay Delta and the problem is urgent. It is essential that an integrated approach be taken that guarantees a rapid solution and involves the parties directly impacted. Only by doing so will a viable solution be developed and successfully implemented.

Respectfully submitted,

PATRICK J. MALONEY

progromaticsaltonseaeir
3-17-04

GEORGE RAY'S COMMENTS ON "A PROGROMATIC EIR FOR RESTORATION OF THE SALTON SEA ECOSYSTEM AND PRESERVATION OF ITS FISH AND WILDLIFE RESOURCES

You are charged with preparing "A Progromatic Environmental Impact Report for the Restoration of the Salton Sea Ecosystem and Preservation of its Fish and Wildlife Resources." Unfortunately, legislation (SB 277-Ducheny, SB 317-Kuehl, and SB 654-Machado) leading to this program is based on a flawed assumption.

For over 20 years, the Salton Sea has been an exotic fishery based on tilapia, a fish from Africa, and fish and other organisms from the Sea of Cortez. By most environmental standards this exotic fishery should not be preserved, yet it has many supporters who claim to be environmentalists. Is it really the intent of the State of California to favor exotic species over native species? Is it really the intent of the State of California to favor exotic landforms and habitat over more natural conditions? What is going on here?

Why should we spend millions of dollars in an effort to return the Salton Sea Ecosystem to a state approximating that of the 1960's and 1970's? That was not, is not, and will not long remain the "natural state of the Salton Sink".

SALTON SINK ECOSYSTEM

The historic natural state of lower part of the Salton Sink Ecosystem is that of being part of a large river delta (often nearly dry), not that of a large stable inland sea (either fresh or salt), with miles of contiguous shoreline and large expanses of open relatively deep water. Before the coming of irrigated farmland to the Coachella and Imperial Valleys, the Salton Sink was an ever changing landscape of intermittent streams, flooding tributaries (including the Colorado River), fresh water marshes, salt marshes, riparian habitat, salt flats, small fresh water lakes, and small saline and hypersaline lakes, and, yes, for brief periods of time a sizeable lake. But these large lakes would soon evaporate, leaving behind an environment approximately that found in the year 1900, not the year 1970.

SOLUTION – MANAGED DELTAS

Please do not spend millions of dollars on a collapsed exotic fishery and unsustainable grandiose plans with little tangible benefits. Lets work on returning the lower part of the Salton Sink to conditions that existed over 100 years ago - a less costly, more natural environmental target.

As the Salton Sea shoreline recedes as a result of the San Diego water transfer, why not construct and manage river and stream delta like landforms such as meandering streambeds, islands, marshes, shallow fresh water lakes, and other landforms associated with nearly flat river delta landscapes? As the shoreline recedes, why not, populate these river delta landforms with suitable plant species to attract animal wildlife suitable for this environment -- an environment approximating the environment that once existed in this sea bed not so long ago? On the South end of the basin, the mouths of the New River, the Alamo River, and numerous IID drain canals could be extended and landscaped to better resemble rivers and streams meandering across the bottom of a drying sea. The managed deltas should be intended to complement, not duplicate the existing Sonny Bono National Wildlife Refuge.

Similarly, the Whitewater flood control ditch and other irrigation and storm drains could be extended to better resemble rivers and streams meandering across the North end of the basin, creating attractive landforms and useful habitat for many wildlife species.

The HCP that was accepted as part of the San Diego water transfer does propose "mini deltas" (page 3.2-158), this concept should be expanded. In other words, **mitigate for and on the receding shoreline**! **Mitigate for water quality, not quantity**!

The managed delta approach will leave Imperial Valley with an attractive sustainable wildlife habitat we can be proud of -- a refuge that favors native species over exotic species. The managed delta approach can offer a wide variety of sustainable recreational opportunities for valley residents and others. Thousands of acres seabed and shoreline the IID or the government already owns will be put to productive use and allow more Colorado River water to be used for economic development in Imperial Valley. This approach will go a long way in dealing with alleged dust problems that may result as the shoreline of the Salton Sea recedes.

Managed deltas may not a perfect solution, nor is this a perfect world. Managed deltas will not leave our valley landscape covered with huge piles of salt, evaporating salt ponds, energy consuming evaporators, huge dikes, gouged landscaped, and still more idle farmland. It will partly mitigate for the esthetics of a drying seabed, possible dust and odor problems, help mitigate for lowered water quality, and help mitigate for a retreating shoreline. And yes, it will mitigate for native species rather than exotic species of wildlife.

March 27, 2004

Charles Keene
California Department of Water Resources
770 Fairmont Avenue
Glendale, CA 91203

Re: Comments on the Notice of Preparation of a Salton Sea Restoration Plan

Dear Mr. Keene,

I am writing to register my comments on the direction of a plan for protecting and restoring the Salton Sea.

I think it is very important that the Department of Water Resources (DWR) develops a plan that protects fish and wildlife in and around the Salton Sea. Given the poor air quality that already exists in the Coachella and Imperial Valleys, and the danger that a shrinking Salton Sea will make matters worse, the plan must also include projects to improve air quality in the region. DWR should also consider ways that other state and local agencies can improve recreational and economic development opportunities in the area, as part of any selected plan.

I think it is very important that DWR selects a plan for the Salton Sea itself. DWR should not select a plan that would spend Salton Sea Restoration Fund money on projects along the Colorado River, or in any location other than at and around the Salton Sea.

Please keep me informed of your efforts to protect and improve the Salton Sea.

Sincerely,

Signature: _____

Print Name: LINDA-MARIE SUNDSTROM

Address: 6949 DOHENY PL #C

City: ALTA LOMA State: CA Zip: 91701

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March 9, 2004

Mr. Charles Keene
California Department of Water Resources
770 Fairmount Avenue
Glendale, CA 91203

Re: PEIR for Restoration of Salton Sea Ecosystem

Dear Mr. Keene:

We request that the Programmatic Environmental Impact Report for the Restoration of the Salton Sea Ecosystem and preservation of its fish and wildlife resources include consideration of the SolarBee technology. SolarBees are solar powered circulation devices that moving large volumes (10,000 gallons per minute) of freshwater and saltwater in lakes and reservoirs. SolarBees have been utilized to improve water quality, increase DO, reduce nutrients, prevent fish kills and control odors.

There are now more than 70 units installed in California, and more than 500 around the US. We have been researching the Salton Sea and current efforts to restore the Salton Sea ecosystem and preservation of its fish and wildlife resources. We believe that SolarBees could provide an effective, low capital cost, low maintenance cost solution for targeted areas where chronic fish kills and bird die offs are occurring. SolarBees have been very successful at defeating blue green algae here in California.

We have also been working with the U.S. Bureau of Reclamation at their evaporation ponds at the Salton Sea, where we have learned that the SolarBees can be operated to *reduce evaporation* while improving water quality.

A packet of information is enclosed for your reference, along with a short, 11 minute video. We would appreciate an opportunity to visit with you about how SolarBees might be appropriately applied at the Salton Sea. Please contact us with any questions, or comments that you might have.

Regards,

Sandra Walker
California District Sales Manager

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3/25/04

Charles Keene,
California Dept. of Water Resources,
770 Fairmount Ave.,
Glendale, CA 91203

Dear Sir,

As a long time resident of California and especially of Imperial Valley, I am another person who realizes that it would be a great project to save the Salton Sea in a manner that would create many benefits and prevent future adverse problems from happening. As a mechanical person I have a favorite saying that there is no way to calculate how many fingers did not get cut off from having a guard on a set of moving V Belts on some machinery. In other words if we improve and maintain the Sea we won't have to find out how many problems had been avoided but there would certainly be many of them. I concur with Mr. Alin Kalin who has lived near the Sea and with other local people have developed ways of improving water quality in our two rivers without much expense. That action should be taken by the proper authorities to take advantage of the opportunity that we now have with the Salton Sea.

Sincerely Yours,

R.C. Wymore

E-mail: wymoreinc@thegrid.net Webpage: wymoreinc.com